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451. But if the plaintiff's complaint discloses to a legal certainty that he cannot recover the necessary amount the cause must be dismissed. *Royal Insurance Co. v. Stoddard*, 201 Fed. 915. The courts have thus, with respect to the pleadings, required that a plaintiff's belief that the jurisdictional amount is in controversy be not only *bona fide* but reasonable. But the rule has not been uniformly applied where the plaintiff's evidence discloses that he cannot recover \$3000. As the objective standard will best accomplish the purpose of the statute it should be applied in this case too. It has in fact been applied. *Horssted v. Merkley et al.*, 59 Fed. 502. See *Maxwell v. A. T. & S. F. R. Co.*, 34 Fed. 286. *Contra*, *Lewis v. Klepner*, 176 Fed. 343. The principal case wisely adopts the rule that the good faith must be reasonable. But the court must be careful to distinguish between its own opinion and the possible opinion of a reasonable man. *Evans et al. v. Lehigh, etc. Co.*, 205 Fed. 637.

INTOXICATING LIQUORS — *CERTIORARI* — LICENSE TO SELL LIQUOR GRANTED DURING NATIONAL PROHIBITION SET ASIDE AT SUIT OF PRIVATE CITIZEN. — On June 30, 1919, the Board of Commissioners of Jersey City issued a license for the sale of spirituous liquors from its date to July 1, 1920, "subject to the provisions of the laws regulating the sale of intoxicating liquors and the granting of licenses therefor." A private citizen of Jersey City prosecuted a writ of *certiorari* against the commissioners to set aside the license as violative of the federal Wartime Prohibition Act and the prohibition amendment to the Federal Constitution. (40 STAT. AT L. 1045; U. S. CONST. AM. ART. XVIII.) *Held*, that it be set aside. *Wilson v. Commissioners of Jersey City*, 107 Atl. 797 (N. J.).

It is a general rule that a court will not review the proceedings of another tribunal by a writ of *certiorari* unless the prosecutor can show that he will suffer a special injury beyond that sustained in common with the public. *Davis v. Hampshire County*, 153 Mass. 218, 26 N. E. 848; *District Board of Education v. Gilleland*, 191 Mich. 276, 157 N. W. 609. This rule is recognized in New Jersey. *Tallon v. Hoboken*, 60 N. J. L. 212, 37 Atl. 895. See *Ford v. Bayonne*, 87 N. J. L. 298, 299, 93 Atl. 591, 592. But its decisions as to what constitutes such special interest are conflicting. See *Specht v. Central Pass. Ry. Co.*, 68 Atl. (N. J.) 785, 788. But some jurisdictions, while conceding the general rule above, allow any private citizen regardless of special interest to sue out the writ to enforce a duty owing to the public. *Collins v. Davis*, 57 Iowa, 256, 10 N. W. 643; *State v. Ravalli County*, 21 Mont. 469, 54 Pac. 939. This doctrine was applied in the case upon which the court in the principal case relied. *Ferry v. Williams*, 41 N. J. L. 332. In regard to the substantive point of the principal case, the decision also seems correct. State statutes are suspended when Congress, in the exercise of powers granted to it, legislates upon the same subject matter, provided Congress intended its legislation to cover the whole field of that subject matter. *Gulf, etc. Ry. Co. v. Hefley*, 158 U. S. 98; *Southern Ry. Co. v. Reid*, 222 U. S. 424. See Samuel Williston, "The Effect of a National Bankruptcy Law upon State Laws," 22 HARV. L. REV. 547. See also 29 HARV. L. REV. 439. Thus it would seem that the right of the commissioners in the principal case to grant licenses for the sale of spirituous liquors was suspended while the War-time Prohibition Act was in force.

MANDAMUS — PERSONS AND ACTS SUBJECT TO MANDAMUS — CONTROL OF EXECUTIVE OFFICERS BY THE WRIT. — A statute provided "that any person or association of persons qualified to make entry under the coal land laws of the United States who shall have opened or improved a coal mine or coal mines . . . may locate the land upon which such mine or mines are situated" (33 STAT. AT L. 525). The petitioner claimed to have fulfilled the requirements of the statute and therefore to be entitled to a patent. Upon refusal of the Secretary of the Interior to issue one, he brings *mandamus* proceedings to compel such action.